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10 Attorneys for Defendants
11 MOBILEFUNSTER, INC. and FUNMOBILE
GAMES, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15
16 MELINDA AMEZCUA, individually and on
17 behalf of a class similarly situated individuals,
18 Plaintiff,

Case No. 5:08-CV-4390-JF

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

19 v.
20 CELLCO PARTNERSHIP D/B/A VERIZON
21 WIRELESS, a Delaware general partnership,
MOBILEFUNSTER, INC. D/B/A
22 FUNMOBILE, a Delaware corporation,
FUNMOBILE GAMES, INC., a Delaware
corporation,
23 Defendants.
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1 WHEREAS this case was initially assigned to Magistrate Patricia Trumbull, and was set
2 for Initial Case Management Conference on January 27, 2009 at 10:00 a.m. (Document No. 3);

3 WHEREAS on November 11, 2008 Magistrate Trumbull issued a Stipulation and Order
4 to Continue Case Management Conference, which moved the Initial Case Management
5 Conference from January 27, 2009 to March 24, 2009 (Docket No. 16);

6 WHEREAS on December 4, 2008 the case was reassigned to the Honorable Jeremy
7 Fogel;

8 WHEREAS the Clerk's Notice of Impending Reassignment vacated the January 27, 2009
9 Case Management Conference before Magistrate Trumbull (which had already been vacated by
10 Docket No. 16) and set the case for a Case Management Conference on January 30, 2009 before
11 Judge Fogel (Docket No. 24);

12 WHEREAS defendants Mobilefunster, Inc. and Funmobile Games, Inc. ("Funmobile
13 Defendants") filed a Notice of Removal with this Court and Plaintiff filed a Motion to Remand,
14 which will be set for hearing on March 13, 2009;

15 WHEREAS the parties believe that the issues to be discussed at the Case Management
16 Conference and the related case management deadlines may become moot if the Court grants
17 Plaintiff's Motion to Remand;

18 NOW, THEREFORE, based on the foregoing, the parties do hereby stipulate, by and
19 through their counsel of record, to move the Case Management Conference from January 30,
20 2009 to April 24, 2009 at 10:30 a.m., that all related case management deadlines be reset in

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1 accordance therewith, and respectfully request that the Court enter an order reflecting same.

2 Dated: January 12, 2009

3 DECHERT LLP

4 By:/s/ Sarah Wager

5 Sarah Wager
6 Attorneys for Defendants
7 MOBILEFUNSTER, INC. and FUNMOBILE
8 GAMES, INC.

9 Michael S. Doluisio (Admitted *Pro Hac Vice*)
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13 **DECHERT LLP**

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17 Facsimile: 215.994.2222

18 Dated: January 12, 2009

19 PARISI & HAVENS, LLP

20 By:/s/ David C. Parisi

21 David C. Parisi
22 Attorneys for Plaintiff MELINDA AMEZCUA,
23 Individually and on behalf of a class of similarly
24 situated individuals

25 Dated: January 12, 2009

26 MORRISON & FOERSTER LLP

27 By:/s/ Geoffrey Graber

28 Dan Marmalefsky
Penelope A. Preovolos
Geoffrey Graber
Attorneys for Defendant CELLCO PARTNERSHIP
LLP d/b/a VERIZON WIRELESS

23 **GENERAL ORDER 45 ATTESTATION**

24 I, Sarah Wager, am the ECF user whose ID and password are being used to file this
25 Stipulation to Continue Case Management Conference. In compliance with General Order 45, I

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1 hereby attest that David Parisi of Parisi & Havens and Geoffrey Graber of Morrison & Foerster
2 have concurred in this filing.

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4 Dated: January 12, 2009

DECHERT LLP

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By:/s/ Sarah Wager

Sarah Wager

Attorneys for Defendants

MOBILEFUNSTER, INC. and FUNMOBILE

GAMES, INC.

IT IS SO ORDERED

Dated: 1/14/09



UNITED STATES DISTRICT COURT JUDGE